



RCE/ 2652 #5

PATENT  
ATTORNEY DOCKET NO.: 041465-5064-01

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Rg  
6/16/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
Takao SAWABE et al. ) Confirmation No.: 1006  
)  
Application No. 10/058,098 ) Group Art Unit: 2652  
)  
Filed: January 29, 2002 ) Examiner: W. Young  
)  
For: APPARATUS FOR REPRODUCING )  
INFORMATION FROM RECORD ) Mail Stop RCE  
MEDIUM ON WHICH AUDIO )  
INFORMATION OF DIFFERING )  
RECORDING METHODS IS )  
RECORDED (AS AMENDED) )

RECEIVED

JUN 09 2004

Technology Center 2600

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
**Customer Window, Mail Stop RCE**  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☐ Previously submitted:
- ☐ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ (Any unentered amendment referred to above will be entered).
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.

- ☒ Enclosed:
- ☒ Preliminary Amendment Filed with RCE under 37 C.F.R. § 1.114
- ☐ Supplemental Reply
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement
- ☐ Form 1449
- ☐ Other

06/07/2004 EAREGAY1 00000110 500310 10058096

01 FC:1801 770.00 DA  
02 FC:1253 840.00 DA

## 2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

☐ Other: \_\_\_\_\_.

## 3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

☒ \$770.00

☐ \$385.00 (for small entity)

(b) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. § 1.16(c))	31	minus	36	0	x \$18 each =	+ \$0.00
Independent Claims (37 C.F.R. § 1.16(b))	3	minus	4	0	x \$86 each =	+ \$0.00
[ ] First presentation of Multiple dependent claim(s)					\$280.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

## (c) Extension of Time

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input checked="" type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00

An extension for one month has already been secured on April 2, 2004, and the fee paid therefor of \$110.00 is deducted from the total fee due for the total months of extension now requested. Accordingly, the extension of time fee due with this request is: \$840.00 (\$950.00 - \$110.00).

If an additional extension of time is required, please consider this a Petition therefor.

## 4. Fee Payment

- ☐ Enclosed is a check in the amount of \$\_\_\_\_\_.
- ☒ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of \$1,610.00 (representing \$770.00 for the RCE filing fee and \$840.00 for the difference between the three-month extension of time fee of \$950.00 and the one-month extension of time fee of \$110.00 already paid in this application on April 2, 2004).


☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN LEWIS & BOCKIUS LLP**

Dated: June 4, 2004  
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By:

  
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